

REMARKS

This Request for Reconsideration is submitted in response to the final Office Action mailed from the Patent Office on August 18, 2009.

The final Office Action rejects claims 1, 6, 9, 12-13, 20 and 22-25 under 35 USC §102(b) as anticipated by Shibata, rejects claims 2, 3, 4, 10, 11, 14, 15, 16, 17 and 18 under 35 USC §103(a) over Shibata, rejects claims 5 and 19 over Shibata in view of van den Bergh, rejects claims 7 and 21 over Shibata in view of Svensson.

Applicants express their appreciation to the Examiner for the indication of the allowability the claim 8 subject matter.

In view of the Examiner's indication of allowability, and in an attempt to expedite prosecution and allowance, applicants hereby combine the claim 8 subject matter with independent claim 2 to realize new claim 26, and cancel claims 1, 2, 8, 11 and 14-25.

In addition, applicants amend claims 3, 5, 6, 7, 9 and 12 to depend from new independent 26, and further amend claim 5 to incorporate the subject matter of cancelled claim 11.

After amendment hereby, claims 3-7, 9, 10, 12, 13 and 26 are pending, where new claim 26 is the sole independent claim.

Reconsideration and allowance of the application, including pending claims 3-7, 9, 10, 12, 13 and 26, in view of the following remarks is respectfully requested.

New independent claims 26 calls out a magnet arrangement for a magnetic levitation vehicle (1) that comprises at least one magnetic pole (11) consisting of a core (14) and a winding (12), a control circuit (18) connected to the winding (12) and power

supply unit including voltage converter (24) for supplying at least the electrical energy required for the control circuit (18).

The magnet arrangement is further qualified as constructed as an autonomous modular unit in a form of a hollow-bodied magnet back box (15, 15a), within which is integrated the at least one magnetic pole (11), the control circuit (18) and the power supply unit.

The magnet back box (15, 15a) is further qualified to include drawer-like units (30) into which the control circuit (18) and/or the voltage converter (24) of the power supply unit are disposed and to reflect that the back box is configured to be fastened to a car body (17) of said magnetic levitation vehicle (1).

Shibata, as distinguished, shows a vehicle A mounted on an upper surface of a main body A1, a power receiving unit 23 for receiving emf generated in pickup coil 19 and a control device 9. The control device 9 confirms a levitation level of vehicle A based on gap detection signals, produces and send a signal for controlling electrification of electromagnets 2 to power circuit 25, which is part of power receiving unit 23 (Fig. 6).

Applicants respectfully assert that Shibata's designator "A" designates the vehicle, so that the Shibata magnet arrangement (vehicle A) cannot be designed as or equivalent to an autonomous modular unit in a form of a hollow-bodied magnet back box within which are integrated the magnetic pole, control circuit and power supply unit, as claimed.

Neither Shibata's vehicle A or any other Shibata device or element can be said to comprise such a magnet back box, nor such a magnet back box further qualified to include drawer-like units (30) into which at least one of the control circuit and the

voltage converter of the power supply unit are disposed, and which is configured to be fastened to a car body of said magnetic levitation vehicle, as claimed.

In view of the fact that independent claim 26 recites these limitations, which are not disclosed by Shibata, Shibata does not anticipate claim 26, and claim 26 is therefore patentable under 35 USC §102(b) over Shibata. Claims 6, 9, 12 and 13 depend from claim 26 so are patentable for at least the same reasons. Applicant, therefore, respectfully requests withdrawal of the rejection of claims 6, 9, 12 and 13 under 35 USC §102(b) over Shibata, and allowance of these claims and new claim 23.

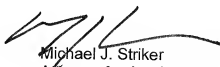
With respect to the rejection of claims 3, 4, 10 (and 11, now part of claim 5) under 35 USC §103(a) over Shibata, claim 5 over Shibata in view of van den Bergh and claim 7 over Shibata in view of Svensson, applicants respectfully assert that van den Bergh and Svensson suffer the same shortcomings of Shibata.

That is, none of Shibata, van den Bergh or Svensson teach or suggest a magnet arrangement comprising an autonomous modular unit in a form of a hollow-bodied magnet back box within which are integrated a magnetic pole, control circuit and power supply unit, where the magnet back box includes drawer-like units (30) into which at least one of the control circuit and a voltage converter of the power supply unit are disposed, and which is configured to be fastened to a car body of said magnetic levitation vehicle, as claimed.

Claims 3-5, 7 and 10, therefore, are patentable under 35 USC §103(a) over Shibata, over Shibata in view of van den Bergh or over Shibata in view of Svensson and applicants respectfully request withdrawal of the rejection of those claims.

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MJS', is positioned above the printed name and address.

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